

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



**CORRECTED
FISCAL MEMORANDUM**

SB 680 – HB 931

April 8, 2013

SUMMARY OF ORIGINAL BILL: Creates 31 additional assistant public defender positions (PDs). The positions shall be designated in judicial districts based on a report prepared by the District Public Defenders Conference (DPDC) which is to be delivered to the Speakers of the House of Representatives and Senate.

Directs the General Assembly to enact legislation during the second session of the 108th General Assembly that designates the additional positions to the appropriate judicial districts.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures – \$2,575,200/FY13-14
\$3,044,700/FY14-15 and Subsequent Years

SUMMARY OF AMENDMENT (006234): Deletes all language after the enacting clause.

Creates six additional PD positions. The DPDC shall prepare a report noting the number of judgeships with criminal jurisdiction created since 2007 to the effective date of the proposed legislation. One PD shall be recommended to each judicial district in which a new judgeship with criminal jurisdiction was created during the applicable period. The DPDC is authorized to employ the six additional PDs upon filing the report with the speakers of the Senate and House of Representatives as well as the chairmen of the Senate Judiciary Committee and the Criminal Justice Committee of the House of Representatives. The report must be filed by October 1, 2013.

Directs the General Assembly to enact legislation during the second session of the 108th General Assembly to designate the additional positions to the appropriate judicial districts.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

On April 2, 2013, a fiscal memorandum was issued estimating the fiscal impact as follows:

*Increase State Expenditures – \$501,000/FY13-14
\$592,300/FY14-15 and subsequent years*

Upon further review, it was determined that this impact was in error. The estimated impact is:

(CORRECTED)

Increase State Expenditures – \$545,900/FY13-14

\$644,900/FY14-15 and Subsequent Years

Assumptions for the bill as amended:

- It is assumed that each PD will be hired at a starting salary of \$56,000. The new positions will result in increased expenditures of \$422,496 $\{[\$56,000 \text{ salary} + (\$56,000 \times 0.1503) \text{ benefits} + \$5,999.28 \text{ insurance}] \times 6\}$.
- It is assumed that each PD will require \$12,700 in recurring expenditures for travel, online research, furniture/supplies, training, professional privilege tax, etc. for a total of \$76,200 $(\$12,700 \times 6)$ per year.
- The bill would result in recurring expenditures for PD positions totaling \$498,696 $(\$422,496 + \$76,200)$.
- It is assumed that each PD will require \$7,700 in one-time expenditures for online research, furniture, phone, internet, and data processing equipment. The bill would result in one-time expenditures of \$46,200 $(\$7,700 \times 6)$.
- As a result of the six new positions, the DPDC will require two new secretaries to assist the new PDs. It is assumed that both secretaries will be hired at a salary of \$28,000. The new positions will result in increased expenditures of \$76,415 $\{[\$28,000 \text{ salary} + (\$28,000 \times 0.1503) \text{ benefits} + \$5,999.28 \text{ insurance}] \times 2\}$.
- It is assumed that each secretary will require \$8,600 in recurring expenditures for travel, online research, furniture/supplies, phone, internet, etc. for a total of \$17,200 $(\$8,600 \times 2)$ per year.
- The bill would result in recurring expenditures for secretary positions totaling \$93,615 $(\$76,415 + \$17,200)$.
- It is assumed that each secretary will require \$5,300 in one-time expenditures for online research, furniture, training, and data processing equipment. The bill would result in one-time expenditures of \$10,600 $(\$5,300 \times 2)$.
- The DPDC will also require an additional staff person to handle human resources needs and other administrative duties. The administrative staff position will be hired at a salary of \$40,000, resulting in increased expenditures of \$52,011 $[\$40,000 + (\$40,000 \times .1503) \text{ benefits} + \$5,999.28 \text{ insurance}]$. The administrative staff position will require recurring costs of \$600 for office supplies and computer maintenance. Total recurring costs for the administrative staff position are \$52,611 $(\$52,011 + \$600)$.
- The administrative staff position will require one-time costs totaling \$5,400 for office furniture, a computer, and telephone/internet.
- The bill would result in total one-time expenditures of \$62,200 $(\$46,200 + \$10,600 + \$5,400)$ and a total increase in recurring expenditures of \$644,922 $(\$498,696 + \$93,615 + \$52,611)$.
- The positions will become effective October 1, 2013. As a result, the State will incur only 3/4 of the recurring costs in FY13-14.

- The total increase in expenditures in FY13-14 will be \$545,892 [\$62,200 total one-time expenditures + (\$644,922 total recurring expenditures x .75)], and the total increase in expenditures in FY14-15 and subsequent years will be \$644,922.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read 'Lucian D. Geise', written in a cursive style.

Lucian D. Geise, Executive Director

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